

REMARKS

This application has been reviewed in light of the Office Action dated March 6, 2008. Claims 1-3 and 5-18 are presented for examination, of which Claims 1, 5, 10 and 16 are in independent form. Claims 1, 3, 5, 6, 10, 16 and 18 have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

Claims 1-3 and 5-18 were rejected under 35 U.S.C. § 112, first paragraph, as not being supported by original disclosure meeting the written description requirement, and an objection to the recitation in question as being new matter also was made. In particular, the Office Action states that the original specification did not disclose an operating unit for obtaining three-dimensional positional information for obtaining a constraining shape.

Applicants disagree with the Examiner on this point, because the original specification discloses an "operating unit" for obtaining three-dimensional positional information for obtaining a constraining shape (see, for example, Claim 10, line 7 of the original specification). Nonetheless, in order to expedite prosecution, Applicants have replaced "operating unit" with --input unit-- as shown above. Accordingly, withdrawal of the rejection under Section 112 and the objection under Section 132 is respectfully requested.

Claims 1-3 and 5-18 were rejected under 35 U.S.C. § 103(a) as being obvious from Kitamura et al., "Consolidated Manipulation of Virtual and Real Objects", September 1997, *Proceedings of the ACM Symposium on Virtual Reality Software and Technology* (Kitamura), pages 133-38.

As shown above, Applicant have amended the independent claims in terms that more clearly define what they regard as their invention. Applicant submit that these amended independent claims, together with the remaining claims dependent thereon, are patentably

distinct from the cited prior art for at least the following reasons.

Independent Claim 1 is directed to an information processing device for aiding control operations relating to controlling the position and orientation of a virtual object. The device of Claim 1 comprises image-capturing means, for capturing a real image in real space, and estimating means, for estimating the position and orientation of the image capturing means. Virtual image generation means generate a virtual image of a virtual object according to the position and orientation of the image capturing means, and superimposed means superimpose the generated virtual image with the captured real image. A determination is made by determination means as to an input of a constraining shape or an operation of the virtual object, and inputting means serve for the inputting three-dimensional position information of a plurality of positions inputted by moving an input unit in the real space by a user, the input unit being capable of measuring the position and orientation in the real space. Setting means set a constraining shape by using a shape generated based on the inputted three-dimensional position information in case of the input of the constraining shape, and operating means perform an operation controlling the position and the orientation of the virtual object based on the constraining shape in accordance with a user's instructions in case of the operation of the virtual object.

Among other notable features of Claim 1 is the estimation means. Applicants submit that no such means are taught or suggested by anything found in *Kitamura*. For at least that reason, therefore, Applicants submit that Claim 1 is allowable over that document.

The other independent claims are believed to be allowable over *Kitamura* for the same reasons as is Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference

against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Leonard P Diana/
Leonard P. Diana
Attorney for Applicants
Registration No.: 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200